

**MT NEBO SCIENTIFIC, INC.***research & consulting***VIA: Hand Delivered**

October 20, 2006

Wayne Hedberg
Utah Coal Regulatory Program
STATE OF UTAH
Division of Oil, Gas & Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801

RE: N06-37-1-1: Abatement Information for MRP
Wellington Preparation Plant (C/007/012)

Jacoby
C/007/0012
#2571

Dear Wayne:

As requested, all previous submitted abatement information for the above-cited NOV have been made "insertable" to the MRP. Four (4) copies of this information have been included with this letter.

Once again, our team has attempted to respond completely to the remedial actions required by the Division. If you have questions or need additional information, please feel free to contact me.

Sincerely,

Patrick D. Collins, Ph.D.
Resident Agent/Environmental Consultant

Refer to Expandable 10202006
file in C0070012 2006 Incoming
for additional information

Enclosures

cc: T. Garcia

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DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☒ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: NEICO

Mine: Wellington Preparation Plant

Permit Number: C/007/012

Title: N06-37-1-1: Abatement Information for MRP

Description, Include reason for application and timing required to implement:

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- ☐ Yes ☒ No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ ☐ increase ☐ decrease.
- ☐ Yes ☒ No 2. Is the application submitted as a result of a Division Order? DO# _____
- ☐ Yes ☒ No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- ☐ Yes ☒ No 4. Does the application include operations in hydrologic basins other than as currently approved?
- ☐ Yes ☒ No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- ☐ Yes ☒ No 6. Does the application require or include public notice publication?
- ☐ Yes ☒ No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- ☐ Yes ☒ No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- ☒ Yes ☐ No 9. Is the application submitted as a result of a Violation? NOV # N06-37-1-1
- ☐ Yes ☒ No 10. Is the application submitted as a result of other laws or regulations or policies?
- Explain:* _____
- ☐ Yes ☒ No 11. Does the application affect the surface landowner or change the post mining land use?
- ☐ Yes ☒ No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- ☐ Yes ☒ No 13. Does the application require or include collection and reporting of any baseline information?
- ☐ Yes ☒ No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- ☐ Yes ☒ No 15. Does the application require or include soil removal, storage or placement?
- ☐ Yes ☒ No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- ☐ Yes ☒ No 17. Does the application require or include construction, modification, or removal of surface facilities?
- ☐ Yes ☒ No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- ☒ Yes ☐ No 19. Does the application require or include certified designs, maps or calculation?
- ☐ Yes ☒ No 20. Does the application require or include subsidence control or monitoring?
- ☐ Yes ☒ No 21. Have reclamation costs for bonding been provided?
- ☐ Yes ☒ No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- ☐ Yes ☒ No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

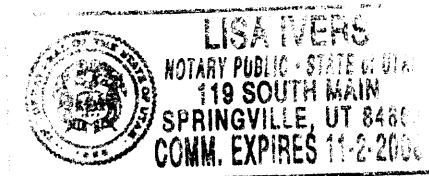
I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

PATRICK D. CONLINS
Print Name

[Signature] 10/20/06
Sign Name, Position, Date

Subscribed and sworn to before me this 20 day of October, 2006

[Signature]
Notary Public
My commission Expires: 11/2, 2008 }
Attest: State of Utah } ss:
County of Utah



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Number:

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DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permittee: NEICO

Mine: Wellington Preparation Plant

Permit Number: C/007/012

Title: N06-37-1-1: Abatement Information for MRP

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED☐ Add ☐ Replace ☐ Remove

See "Comments & Instructions" dated October 20, 2006

☐ Add ☐ Replace ☐ Remove

Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

See "Comments & Instructions" dated July 10, 2006

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